

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

AMYRIS, INC, *et al.*,

Debtors.¹

)
Chapter 11
)
Case No. 23-11131 (TMH)
)
(Jointly Administered)
)
Re: Docket Nos. 524, 525, 809, 826
)
)

**DMS-FIRMENICH'S RESERVATION OF RIGHTS
TO THE DEBTORS' DISCLOSURE STATEMENT MOTION**

DSM Nutritional Products Ltd. and its affiliates (collectively, “DSM-Firmenich”) hereby files this limited objection in response to (i) the *Debtors’ Motion for an Order (I) Approving the Disclosure Statement; (II) Scheduling Confirmation Hearing; (III) Approving Form and Manner of Notice of Confirmation Hearing; (IV) Establishing Procedures for Solicitation and Tabulation of Votes to Accept or Reject Plan, Including (A) Approving Form and Content of Solicitation Materials; (B) Establishing Record Date and Approving Forms of Ballots; (D) Establishing Voting Deadline for Receipt of Ballots; and (E) Approving Procedures for Vote Tabulations; (V) Approving Form and Manner of Notice of Plan Releases; (VI) Establishing Deadline and Procedures for Filing Objections to Confirmation of Plan; and (VII) Granting Related Relief [Docket No. 525]* and (ii) the *Disclosure Statement With Respect to Joint Chapter 11 Plan of*

¹ A complete list of each of the Debtors in these Chapter 11 Cases may be obtained on the website of the Debtors’ proposed claims and noticing agent at <https://cases.stretto.com/amyris>. The location of Debtor Amyris Inc.’s principal place of business and the Debtors’ service address in these Chapter 11 Cases is 5885 Hollis Street, Suite 100, Emeryville, CA 94608.

Reorganization of Amyris, Inc. and Its Affiliated Debtors [Docket No. 524] (as amended by Docket No. 826) (the “Disclosure Statement”).² DSM-Firmenich respectfully states as follows:

1. For over ten years, DSM-Firmenich has been a critical business partner of the Debtors. Amyris and DSM-Firmenich supply products to each other. Amyris and DSM-Firmenich have ongoing research and development projects together — and there are numerous intellectual property licenses from Amyris to DSM-Firmenich and vice versa. DSM-Firmenich has invested tens of millions of dollars in Amyris in the form of secured debt and equity in attempts to keep Amyris afloat over the years.

2. The Debtors and DSM-Firmenich have spent months trying to negotiate a go-forward business partnership that works for both parties. While much progress has been made, there is no agreement yet.

3. Based on its proposed treatment of DSM-Firmenich’s claims and rights, the current Plan cannot be confirmed unless DSM-Firmenich and the Debtors reach agreement. DSM-Firmenich hopes that those deficiencies can be resolved consensually, but reserves all rights if they cannot.

[Remainder of this page intentionally left blank]

² Capitalized but undefined terms used herein shall have the meanings ascribed to them in the Disclosure Statement or the *Joint Chapter 11 Plan of Reorganization of Amyris, Inc. and its Affiliated Debtors* [Docket No. 523] (the “Plan”), as applicable.

Dated: December 8, 2023
Wilmington, Delaware

**YOUNG CONAWAY STARGATT &
TAYLOR, LLP**

/s/ Andrew L. Magaziner
Andrew L. Magaziner (No. 5426)
Rodney Square
1000 North King Street
Wilmington, Delaware 19801
Telephone: (302) 571-6600
Facsimile: (302) 571-1253
Email: amagaziner@ycst.com

- and -

LATHAM & WATKINS LLP

James Ktsanes (admitted *pro hac vice*)
Joseph C. Celentino³ (admitted *pro hac vice*)
330 North Wabash Avenue
Suite 2800
Chicago, Illinois 60611
Telephone: (312) 876-7700
Email: james.ktsanes@lw.com
joe.celentino@lw.com

*Counsel to DSM-Firmenich AG, DSM Nutritional
Products Ltd., and Firmenich SA*

³ Not admitted in Illinois. Admitted in New York.